

REPORT ON HUMAN RIGHTS IN VIETNAM 2018-2019



VIETNAM HUMAN RIGHTS NETWORK

CONTENTS

Introduction	03
I. The Right to Freedom of Expression and Freedom of Information	04
1. Arrests for Exercising Freedom of Speech	04
2. Arrests for Protest Demonstrations	07
3. Activists Beaten by Police and by Thugs Hired by Police	15
II. The Right to Freedom of Religion and Freedom of Worship	19
1. Using laws to prevent and suppress religions	19
2. Two-faced policy	19
3. Manipulations of religions	20
4. Repression by violence	21
5. Activities for religious freedom	23
III. Human Rights in the Economic Field	28
1. General	28
2. Government removing common people from their land	28
3. Violations of laborers' rights (Labor Rights)	29
4. Corruption	29
5. Remarks and Suggestions	30
Recommendations	33
Appendix I: List of Prisoners of Conscience Currently in Jail	35
Appendix II: List of Prisoners of Conscience in Probationary Detention/ House Arrest	35
Appendix III: Vietnam Human Rights Award 2018	36

COVER PHOTO

This year, the number of prisoners of conscience almost doubled as compared with last year. The Vietnamese government cracked down on people who demonstrated against the Cyber Security Law and the Special Economic Zone Bill; therefore, hundreds of people are jailed for their defense of freedom of speech. The 24 people on the cover are all current prisoners of conscience in Vietnam, both those imprisoned in 2018 and those starting their sentences before.

INTRODUCTION

2018 was not a good year for the state of human rights in Vietnam. The campaign to crack down on political dissents that started in 2017 continued to escalate in 2018. The year started with the trial of four members of the Hoa Hao Buddhist Sect: Mr. Vuong Van Tha, his son and two nephews in January 2018. They were tried and convicted for "propaganda against the state," with the harshest sentence given to Mr. Tha of 12 years in prison. It was an ominous sign of things to come.

At a second trial in February, six other Hoa Hao Buddhists were sentenced to a total of 22 years. The repression continued in April 2018 with a mass trial against the Brotherhood for Democracy, which attracted the most attention from the international community. Attorney Nguyen Van Dai and six other members of the Brotherhood were given sentences ranging from 10 to 15 years in prison. The severity of these sentences, even by the standards of Vietnam, came as a shock to most observers. Trials continued for other members of the Brotherhood for Democracy throughout 2018.

In June 2018, a law was proposed in the National Assembly to establish three special economic and administrative zones in Vietnam. Although the measure was officially endorsed by the leadership of the Communist Party, it was not popular with the masses. Most people fear it would open the way to further Chinese influence in Vietnam's economy and politics. On June 10, 2018, mass protests took place throughout the country and continued for several weeks. Except in a few instances, the protests were generally peaceful. The government seemed to have been surprised by the magnitude of the protests and quickly announced that it would delay the passing of this controversial law.

As the protests began to quiet down, security forces began to round up people who were suspected as leaders or "instigators" during the protests. The most severe crackdown was reported in the province of Binh Thuan in Central Vietnam. Hundreds of people, mostly in their twenties, were arrested and held in isolation for many months. Most of them were sentenced to prison in a series of trials throughout the year.

During the same session, the National Assembly approved the new Internet Security Law in June 2018. The new law, which took effect on January 1, 2019, is by far the most sweeping law regulating social media and Internet contents. It gives security agencies almost unlimited surveillance power to monitor online communications and makes it easier for the government to prosecute political dissents. Furthermore, it sets requirements on foreign technology companies to cooperate with government authorities if they want to continue doing business in Vietnam. To most observers, this new law is set to have a chilling effect on the growing political discourse, especially among the younger population.

In the area of economics, Vietnam officially joined the Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) in November 2018. It is a revised version of the former Trans-Pacific Partnership (TPP), but without the United States. In theory, the new agreement between eleven countries still has provisions protecting labor rights but does not have strict enforcement measures as in the former TPP. And without the leadership of the US, enforcement would be much more difficult. At this point, six months after ratification, there is no sign that the government has loosened its control over labor unions. Current labor law still does not allow for any independent trade union. The only unions allowed are those organized and led by Party officials, commonly known as “cong doan,” or “public unions.” At the national level, the Vietnam Federation of Labor remains the official body representing all labor organizations. Not surprisingly, the chairman of the Federation is Mr. Bui Van Cuong, a member of the Party Central Committee. It remains a big question if the Vietnam government has any intention to reform its labor laws as required by the CPTPP.

As for other economic rights, property right is still subject to serious violations. In most cases, they are results of corruption schemes between government officials and private developers. Eminent domain is often used to obtain land and property from private citizens at very cheap prices, then resold to private developers for huge profits. When the original owners refuse to give up their property, the government often uses force to evict them from the premise. Perhaps the most shocking incidence was in January 2019, when police force was used to evict about 200 families from their homes in the Loc Hung Neighborhood in the middle of Ho Chi Minh City. The incidence caused an outcry of criticism from human rights observers.

If there is any positive development for the year, it was the early release of some of the most well-known political prisoners: attorney Nguyen Van Dai and Ms. Le Thu Ha (both members of the Brotherhood for Democracy) were released from prison in June 2018 on the condition that they leave the country and settle in Germany. Blogger Nguyen Ngoc Nhu Quynh (aka Me Nam) was released and taken to the United States with her family in October 2018.



In one night (January 8, 2019), the authority destroyed people's houses without care for their welfare, in order to take their lands and sell them to housing development companies with good prices.

I

RIGHT TO FREEDOM OF EXPRESSION and Freedom of Information

Freedom of Expression and Freedom of Information for the Vietnamese people are part of the UN Charter of Human Rights and have been approved by the National Assembly of Vietnam through Resolution No. 83/2014 / QH13. However, the Vietnamese government has repeatedly violated the legitimate rights of its people for many years. Last year, Freedom House announced its annual report showing that Vietnam ranked 177th out of 198 countries worldwide in the press freedom. Particularly, in the region of 40 Asia-Pacific countries, Vietnam only has ranks above only three countries: Laos, China and North Korea. Over the past year, independent journalists say the press freedom situation in Vietnam has been said by independent journalists not progressed, but worsened. Meanwhile, the government consistently contends that it respects and ensures State always propagates that they respect and ensure the press freedom for its people. Authorities suppress the freedom of the press and freedom of information for its people in many ways through many aspects: The press law limits, indeed criminalizes the free pursuit the of information, and the government used thugs to attack journalists and to prevent reporters from searching / hunting for information that is damaging for communist officials. The authorities have also suppressed peaceful protests by putting thugs into crowds to create trouble and then condemning the protesters for allegedly undermining social order. In 2018, one of the worst developments was passage of the Network Security Law, used not to protect people from internet hackers, but to punish those who use social networks to communicate with one another, especially if they criticize the government or the Vietnamese Communist Party, or if they disseminate information about democracy or multi-party pluralism.

1. Arrests for Exercising Freedom of Speech.

In the past year, although the Vietnamese government released several prominent democracy activists, such as lawyer Nguyen Van Dai and Ms. Le Thu Ha, who went to Germany as refugees, their Brotherhood for Democracy colleagues remain imprisoned, with heavy sentences [1] and harsh treatment at the hands of the Communist police:

Pastor Nguyen Trung Ton is undergoing a 12-year prison sentence, with poor health and no treatment [2]. In June 2018, he was taken from his home and transferred 1,000 kilometers away. He has suffered many injuries to his knees and kidneys, and continues to be abused in prison for refusing to plead guilty. [3]

Reporter Truong Minh Duc, given a sentence of 12 years in prison, was subjected to such harsh conditions that he became ill. He was then transferred to a place far distant from his home, making visits more difficult. Many international organizations have requested Truong Minh Duc's released, without success [5].

Mr. Pham Van Troi was sentenced to seven years in prison on April 5, 2018, and on June 4, 2018, his appeal was dismissed, together with the appeals of Nguyen Trung Ton, Truong Minh Duc and Nguyen Bac Truyen. Mr. Troi's wife was placed under house arrest to prevent her from meeting with Western diplomats. The meeting was to take place just days before the US-Vietnam bilateral human rights dialogue of May 15, 2018. [6]

Pastor and lawyer Nguyen Bac Truyen was arrested in July 2017 for helping the families of prisoners of conscience and victims of land appropriation. On Apr. 5, 2018, he was sentenced to 11 years in prison and three years probation, then transferred to a camp 800 kilometers from his home. He suffers from intestinal disease and a weak heart. [7]

Nguyen Van Tuc was arrested initially for trying to recover his land; he then fought for democracy and human rights. He was sentenced to 13 years in prison. He is currently very ill, with chronic hemorrhoids, cardiovascular disease, and chronic keratitis. [8]

Nguyen Trung Truc was sentenced to 12 years in prison in Sept. 2018. A police newspaper reported in September 2017 that he had written "reactionary documents with propaganda and distorting articles about Vietnam, and interviewed and participated in illegal protests in Malaysia." [9]. In Jan. 2019, Mr. Truc was transferred from Quang Binh to Thanh Hoa province and detained in Prison 5, notorious for its harsh treatment of political prisoners. The family was not informed before the move, which happened without warning just as the Lunar New Year approached, making it harder for his family to visit. [10]

Tran Thi Xuan was born in 1976. In June 2018, the Human Rights Foundation (HRF) of New York filed a petition with the United Nations Working Group on Arbitrary Detention (UNWGAD) to request that UNWGAD investigate the arrest Ms. Xuan, an environmental-



protection activist and member of the Brotherhood for Democracy. Ms. Xuan has participated in environmental protests and supported the claims of fishermen affected by the 2016 Formosa company disaster involving the release of toxic chemicals into their fishing grounds [11]. On Apr. 12, 2018, she was sentenced to nine years in prison by a court in Ha Tinh province.

Although authorities released Nguyen Ngoc Nhu Quynh ("Mother Mushroom") to the United States after requests by many NGOs and by Mrs. Melania Trump, another woman prisoner of conscience, Tran Thi Nga, remains detained under harsh conditions. Subjected to a nine-year prison sentence, she was put with female criminals who threatened to beat or kill her to extract information. [12]

Mr. Dao Quang Thuc, a retired teacher, was sentenced to 14 years in prison by a Vietnamese court on Sept. 19, 2018, for "activities to overthrow the people's government." In fact, he had only participated in peaceful protests. He opposed the Chinese for their efforts to occupy the South China Sea. He also supported environment protection and tried to expose corruption. He was frank in expressing his opinions on social media, including Facebook. On Jan. 17, 2019, the High People's Court of Hoa Binh province heard his appeal and reduced his time from 14 years to 13, still a very harsh sentence. [13]

Mr. Le Dinh Luong engaged in such peaceful activities as writing about the Formosa environmental disaster, calling for the boycott of elections, and associating with the Viet Tan party, a democratic

group abroad that the authorities regard as a terrorist organization. On August 16, 2016, he was sentenced to 20 years in prison, and in October 2016 the high court maintained this extremely harsh sentence. [14]

Nguyen Van Hoa created a Facebook page in 2013 to share and distribute articles, videos and images with people who protested environmental damage, including pollution of the sea and flooding in Nghe An, Ha Tinh, and Quang Binh. In Jan. 2017, he was arrested, beaten to extract a confession, and, in Nov. 2017, sentenced to seven years in prison and three years of probation for abuse of



democratic freedoms and violating the interests of the State and the legal rights and interests of organizations and citizens. In Feb. 2019, Mr. Hoa went on a hunger strike, because the government had refused to send his letter of complaint about his beatings. The letter, of Feb. 11, 2019, accused eight officers of abducting him on Jan. 11, 2017, and detaining him in Hong Linh town for nine days. During that time, Hoa was beaten and forced to confess. At the trial of Le Dinh Luong in August 2018, Hoa was summoned as a witness and was again tortured after refusing to testify against Luong. Mr. Hoa ended his hunger strike in March, after

12 days. In a letter home, he revealed that other political prisoners had helped him through the strike, and that he had been supported by an American diplomat based in Hanoi. [15]

Dr. Ho Van Hai (Aka Ho Hai), born in 1957, used his blog to call for honesty and truthfulness in government. He was arrested on Nov. 2, 2016, and on Feb. 1, 2018, was sentenced to four years in prison and two years probation by the Ho Chi Minh City People's Court. In Aug., 2018, Doctor Ho Van Hai, held in Chi Hoa prison, said he had difficulty breathing. [16]

Ngo Hao, born in 1943, was sentenced to 15 years in prison in 2013 just for writing articles on social media to defend other democrats. He is now very weak, suffering from a stroke in prison without being treated. He has gone blind in one eye and has suffered a 40-percent loss of vision in the other. [17]



Nguyen Van Dien (Dien Ai Quoc), Tran Hoang Phuc and Vu Quang Thuan (Vo Phu Dong) were arrested and charged with the same crime, promoting the right to freedom and democracy through the internet. Mr. Thuan has an entire Youtube channel. [18] At their trial on Jan. 31, the court sentenced him to eight years in prison and five years of probation; Mr. Dien to six years and six months in prison; and Mr. Phuc to six years in prison.

Both Dien and Phuc are to be put under house arrest for four years after serving their prison terms. All three were charged with "propaganda against the state" under article 88 of the Criminal Code for posting on Facebook and Youtube the video clips of the "Vietnamese Revival Movement." The video clips, said the prosecutor, clearly describe a situation in Vietnam in a way that distorts political, economic and cultural events in the country. [19]

In August 2018, political prisoner Nguyen Van Dien was transferred to prison no. 5 in Thanh Hoa province, 400 kilometers from his family; and Vu Quang Thuan, to Ba Sao prison in Ha Nam province. Ba Sao prison is the harshest in the country; prisoners of conscience are isolated from regular prisoners and forced to work eight hours a day weaving baskets of bamboo and rattan with

toxic chemicals, They are not allowed to receive winter clothes or food from their families, and forced to buy food from the camp. Currently prisoners of conscience Pham Van Troi, Ho Duc Hoa, Le Thanh Tung, Vu Quang Thuan and Phan Kim Khanh are detained here. [20]

Hoang Duc Binh received a 14-year prison sentence, confirmed at his appeal hearing on April 24, 2018, in Nghe An. The charge was distributing leaflets and sharing information on his Facebook page encouraging pluralism and multi-party activity. Phil Robertson, Deputy Regional Director for Asia for Human Rights Watch (HRW), said in a statement on April 24: “The only ‘crime’ of Hoang Duc Binh is always asking the government to respect human rights, but in Vietnam’s one-party dictatorial regime, it was enough for a long prison sentence.” February 1, 2019, a group of nine EU Parliament members from different political parties, jointly sent a letter to Vietnam’s President Nguyen Phu Trong, asking for the unconditional release of environment and labor rights defender, Hoang Duc Binh. [21]

Phan Kim Khanh, born in 1993, was arrested in March 2017. On October 25, 2017, he was sentenced to six years in prison for “conducting propaganda against the state.” Since February 12, 2019, Phan Kim Khanh has been mistreated because he accused Thai Nguyen security forces of not allowing him to appeal his prison sentence. The government did not send any of Khanh’s letters regarding his appeal, and security guards in the detention center prevented him from calling his family or receiving letters. They also threatened him with solitary confinement if he continued to protest. He was finally able to call his family on March 29 after constantly fighting for that right. On March 31, 2019, a security officer told his father, then visiting Khanh, that he must advise Khanh not to continue his protests; if he did, he would be isolated and unable to call or meet his family. [22]

Bui Hieu Vo, born in 1962, was charged with using Facebook to communicate with the Viet Tan party to harm the state. He was arrested March 17, 2017, and on May 9, 2018, he was sentenced to four and a half years under Article 88 (Propaganda against the State) for allegedly distorting the political situation. [23]

Tran Anh Kim, born in 1946, is a former People’s Army officer, journalist and prisoner of conscience. He was arrested in 2009 and sentenced to five years and a half in prison and three years probation. In January 2015, he was released but arrested again eight months later. On December 16, 2016, he was sentenced to 13 years in prison and four years probation. In May of 2018, the imprisoned Mr. Kim was suffering from headaches and prostatitis. He recently had 20 days of hospital treatment and his wife was worried that he would not live to complete the 13-year sentence if he were not properly treated. Amnesty International has released a new Emergency Action notice for Tran Anh Kim, highlighting concerns for his health, asking Vietnam to provide him with immediate medical care, and calling for his release. [24]

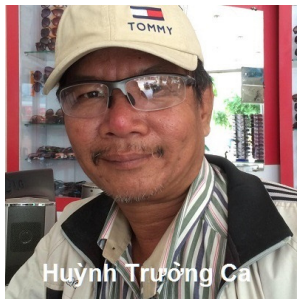
2. Arrests for Protest Demonstrations

The Internet Security Law is vague and abusive, and the 99-year Special Economic Zone Bill is so detrimental to Vietnam that people all over the country have demonstrated against it. As a result, hundreds of people have been arrested, and their sentences have ranged from ten months to three years and six months in prison.

The Law on Network Security was passed by the National Assembly on June 12, 2018, and took effect on January 1, 2019. It comprises seven chapters and 43 articles that limit what information is allowed on the internet and prohibit six kinds of activities: using cyberspace, information technology or electronic messaging to violate national security, social order, or public safety; conducting activities against the Socialist Republic of Vietnam; misrepresenting history or religion or perpetrating gender discrimination or racism; inciting violence or disturbing security or public order; or spreading false information, humiliation or slander.

The weakness of this law is that it is easily abused, limiting people's freedom of information, creating dangers for users of social networks, and making them vulnerable to persecution and indiscriminate, wrongful conviction (according to Hanoi lawyer Le Van Luan, Hanoi). [25] Therefore, thousands of people across Vietnam have protested the Network Security law and the Special Zone Economic bill (not yet approved). Over 100 people have been wrongfully convicted, as follows:

1. On September 4, Huynh Truong Ca was arrested on the way from Tien Giang to Ho Chi Minh City, where he and other Hien Phap members had called for a demonstration. Mr. Ca said the police tried to force him to implicate his friends while in prison in Ho Chi Minh City, but he refused. His



guards put him in a cell with criminals, who attacked him. He has diabetes, high blood pressure and kidney stones, which are a worry if he has to suffer a long sentence. On March 19, 2019, an Amnesty International representative wrote: "I write to express my deep concern about Huynh Truong Ca's situation. Despite suffering from a number of diseases including diabetes, lung disease and high blood pressure, he was again moved to Xuan Loc Prison on March 7 without warning to the family. The new prison is located 250 kilometers from his home town, making it very difficult for his family to visit him and bring him necessary supplies.

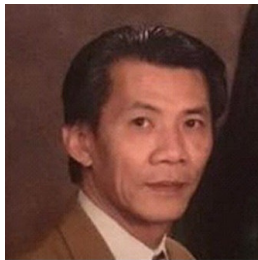
Huynh Truong Ca was arrested...on his way to a peaceful protest in Ho Chi Minh City. Sentenced to five years and six months in prison for peacefully exercising his fundamental rights, he is a prisoner of conscience and needs to be released immediately." [26]

2. Nguyen Ngoc Anh, born in 1980, was arrested and imprisoned in Ben Tre on August 30, 2018, and has not been convicted. He set up two Facebook accounts to protest against the party and the state. In addition, he was also accused of inciting people to protest on June 10 and preparing for another protest on September 2, a national day. He often went on-line with Mr. Doan Huy Chuong, Vice Chairman of the Vietnamese Labor Movement, to talk about the situation of workers in general, the Vietnamese economy, and the tragedy of workers. [27]

3. Mr. Le Minh The, born in 1963, a driver and a veteran of the Vietnam People's Army, was stationed in Laos. He was a member of the Constitutional Group, a civil society unit not recognized by Vietnam, to disseminate the Vietnamese Constitution. Mr. The was arrested by Can Tho city police on Oct. 10, 2018, and sentenced to two years in prison for "dividing people from the Party," using Facebook to livestream. At the same time, Mr. The was also accused of exchanging information on network forums with reactionary elements at home and abroad and calling for protests to replace the regime. On Mar. 14, 2019, Human Rights Watch released a statement calling on the Vietnamese government to release Mr. The and five other activists from the Independent Vietnam National Union. International human rights organizations argued that these activists were prose-

cuted for peaceful political activities, such as setting up associations, expressing opinions on social networks, and attending mass meetings. [28]

4. Mr. Tran Thanh Phuong was arrested on Sept. 1, 2018, for protesting on the street and being in possession of documents criticizing the Cyber Security Law and the Special Economic Zone Bill. He remains detained in Ho Chi Minh City's Phan Dang Luu prison, but has not been tried or convicted of any crime. His health is not good; in addition to hypertension, Mr. Phuong suffers from bronchial asthma. [29]



Michael Phuong Nguyen

5. On June 10, 2018, police arrested three people because they protested against the Special Economic Zone Bill, and have detained them in Phan Dang Luu prison for more than 10 months. They have still not been tried, nor have they seen a lawyer. They are Michael Phuong Nguyen, a Vietnamese-American [30]; Tran Long Phi, born in 1998, living in Thailand before returning to Vietnam and being arrested, [31]; and Huynh Duc Thanh Binh, born in 1996, a student in economic law [32]. Tens of thousands of people on the website www.change.org have asked the Vietnamese authorities to release them.

6. Nguyen Van Meo, born in 1975, protested on June 10, 2019. He was arrested and sentenced to two years in prison. [33]

7. Nguyen Trung Linh, born in 1967, is an engineer who studied in Czechoslovakia and belonged to the Brotherhood for Democracy. He was arrested on May 27, 2019, for possession of anti-state documents. He can be sentenced to up to 20 years in prison. [34]

8. Blogger Le Anh Hung, born in 1973, a member of the Brotherhood for Democracy, wrote many articles for media agencies, including VOA, opposing the Cyber Security Law. On Apr. 4, 2019, he was sent to a mental hospital. On July 5, 2019, Amnesty International asked the authorities to release him, and on July 9, 2018, the CPJ journalist protection association protested against his arrest. [35]

9. Nguyen Van Vien, born in 1971, was arrested on Jan. 13, 2019, and put in Phan Dang Luu prison in Ho Chi Minh City. He joined the Brotherhood for Democracy, and was arrested with Chau Van Kham, a member of the Viet Tan party. Kham returned to Vietnam from Australia, was accused of subversion, but not prosecuted [36]



Nguyen Van Vien

10. Chau Van Kham, a member of the Viet Tan party in Australia, was arrested on Jan. 13, 2019, and detained in Ho Chi Minh City. He has not been contacted by the Australian Consulate. He has prostate disease. [37]

11. Nguyen Hong Nguyen, born in 1980, was arrested on June 16, 2018, and convicted on Sept. 22, 2018, for storing on computers and sharing on Facebook "anti-state and defamatory leadership documents." In Nov. 2018, an appellate court maintained his sentence. In Jan. 2019, he was taken to Xuan Loc prison camp in Dong Nai province. [38]

12. Nguyen Minh Kha, born in 2000, was arrested for demonstrating against the Cyberspace Security law and the Special Economic Zone law. He was sentenced to two years in prison for instigating a street demonstration that obstructed traffic and for throwing stones at the police. In fact, the authorities put secret police in among peaceful protesters to create disorder, and they used water



Demonstration on June 10, 2018 in Ho Chi Minh City

cannons and smoke grenades to chase and arrest protesters. [39]

Nine other people were tried on the same day and for the same crime as Nguyen Minh Kha, in Tuy Phong district, Binh Thuan province:

1. Pham Thanh Nam (born in 1990), two years and six months in prison
2. Pham Sang (born in 1992), 2 years and 6 months in prison
3. Do Van Ngoc (born in 1996), 2 years and 6 months in prison
4. Ngo Duc Duyen (born in 1998), 2 years and 6 months in prison
5. Nguyen Ngoc Sang (born in 1996), 2 years and 6 months in prison
6. Le Van Liem (born in 1995), 2 years and 6 months in prison;
7. Nguyen Chuong (born in 1995), 3 years in prison
8. Ngo Van Put (born in 1989) 3 years in prison;
9. Nguyen Van Mao (born in 1995) 2 years in prison. [40]

13. On September 26, 2016, the court in Cho Lau town, Bac Binh district, Binh Thuan province, tried and convicted 15 people for protesting against the Special Economic Zone Bill on June 11, 2018. They were accused of throwing bricks at the mobile police and charged with “disrupting public order,” as follows:

1. Pham Thanh (born in 1987), 4 years and 6 months in prison
2. Dang Ngoc Tan (born in 2000), 4 years in prison
3. Bui Thanh Tu (born in 1990), 4 years in prison

4. Nguyen Van Tien (born in 1998), 4 years in prison
5. Dang Van Tuan (born in 1985) 4 years in prison
6. Do Van Thang (born in 1999), 3 years and 6 months in prison
7. Nguyen Van Tan (born in 1990), 3 years and 6 months in prison
8. Nguyen Ngoc Binh (born in 1991), 3 years and 6 months in prison
9. Nguyen Tan Vu (born in 2000), 3 years and 6 months in prison
10. Nguyen Van Thuan (born in 1998) 3 years and 6 months in prison
11. Tran Van Xi (born in 1995), 3 years in prison
12. Ho Thanh Tam (born in 1989), 3 years in prison
13. Nguyen Van Hieu (born in 1998), 3 years in prison
14. Nguyen Van Hung (born in 1995), 3 years in prison
15. Ngo Duc Thuan (born in 2000), 2 years in prison. [41]

14. On June 12, 2018, Nguyen Van Quang, born in 1987, was arrested by Thanh Hoa Police and charged with using his personal Facebook to publish and distribute articles to incite and mobilize people to protest against the Economic Special Economic Law and the Network Security Law. On June 18, Mr. Quang was ordered to spend 114 days in detention for investigation. If convicted, he could be sentenced to up to 20 years in prison. [42]

15. Nguyen Van Truong was arrested on February 9, 2018, under Article 331 of the 2015 Criminal Code (“Abusing democratic freedoms to infringe upon the interests of the State and the legitimate rights and interests of organizations and individuals “). From June 2017, Mr. Truong made video clips and wrote articles on Facebook denouncing certain individuals and state agencies in Thai Nguyen province. [43]

16. Nguyen Duy Son, born in 1981, was arrested on May 9, 2018, in Thanh Hoa, because he used Facebook to post criticisms of the state; he has not been tried yet. [44]

17. Nguyen Dinh Thanh, born in 1991, a doctor, on June 8 was arrested on charges of making, storing and spreading information, documents and articles against the state. Mr. Thanh wrote and printed more than 3,300 leaflets, containing photos and articles, to protest against the Special Economic Zone Bill. On October 17, 2018, he was sentenced to 7 years in prison. He did not appeal. [45]

18. On August 22, the People’s Court of Phan Rang - Thap Cham (Ninh Thuan) opened a criminal trial and sentenced 6 defendants, who protested against the Special Economic Zone bill on the night of June 10, 2018. He was charged with blocking vehicles, disturbing and undermining order, and engaging in the incidents (fighting with the police) mentioned above:

1. Nguyen Van Nghia (born in 1989), 2 years in prison.
2. Nguyen Thi Nhu Hoa (born in 1975), 9 months in prison.
3. Nguyen Huu Thanh (born in 1991), 8 months in prison.
4. Nguyen Thi Lau (born in 1978), 12 months in prison.
5. Nguyen Doan Phuoc My (born in 2002), 5 months probation.
6. Truong Thanh Kiet, (born in 2002), 6 months probation. [46]

19. On July 30, the trial of 20 people who protested against the Special Bill on June 10 took place

at Dong Nai Provincial Court. Protesters were mostly young women and included many young people. They were ordinary workers and traders who lived and worked in Dong Nai, charged only because they had expressed their views about the danger to the country posed by the Special Economic Zone Bill. The following were sentenced to 10 to 16 months in prison;

1. Nguyen Dinh Truong, born in 2001, a worker - one year in prison
 2. Pham Van Linh, born in 2001, worker - one year in prison
 3. Nguyen Thi Thuy Dung, born in 1999 - 10 months in prison
 4. Dinh Ma Phong, born in 1990 - 10 months in prison
 5. Ho Cong Di, born in 1995, a worker - 10 months in prison
 6. Tran Nguyen Duy Quang, born in 1983 - one year 6 months in prison
 7. Pham Ngoc Hanh, born in 1973 - one year 4 months in prison
 8. Diep Ut Tien, born in 1994 - 10 months in prison
 9. Nguyen Thi Truc Ly, born in 1997 - one year in prison
 10. Nguyen Thi Lan Anh, born in 1997 - 10 months in prison
 11. Pham Ngoc Huyen, born in 1995 - 10 months in prison
 12. Dinh Kha Ly, born in 1987 - 10 months in prison
 13. Vo Nhu Huynh, born in 1995 - 8 months in prison
 14. Doan Van Thuong, born in 1974 - 10 months in prison
 15. Nguyen Thi Thuy, born in 1976 - one year probation
 16. Nguyen Thanh Toan, born in 1983 - 10 months in prison
 17. Nguyen Thi Tuan, born in 1986 - one year, suspended
 18. Nguyen Thi Ngoc Phuong, born in 1988 - 10 months in prison
 19. Nguyen Thi Truc Anh, born in 1994 - 10 months in prison
 20. Nguyen Thi Ngoc Lieu, born in 1974 - 10 months in prison
- [47] and [48]

20. Nguyen Quoc Hue, born in 1993, was arrested June 11, 2018, and tried on October 31, 2018, in the People's Court of Phan Thiet City. He was sentenced to three and a half years in prison for protesting against the Special Economic Zones bill and using violence against the police. [49]

Detained and tried on the same day were:

1. Pham Van Chung, born in 1991, 3 years in prison.
2. Nguyen Quy Lai, born in 1993, 3 years in prison
3. Zhang Ming Tai, born in 1992, 3 years in prison
4. Le Nhut Ban, born in 1993, 3 years in prison
5. Tang Thanh Thuan, born in 1991, 3 years in prison
6. Tran Van Cong, born in 1991, 3 years in prison
7. Nguyen Tan Thong, born in 1980, 3 years in prison
8. Truong Quoc Gia Huy, born in 1999, 2 years and 6 months in prison
9. Tran The Nghia, born in 1984, 2 years and 6 months in prison
10. Nguyen Toan Trung, born in 1989, 2 years and 6 months in prison
11. Tran Minh Thien, born in 2000, 2 years and 6 months in prison
12. Do Van Tai, born in 1983, 2 years and 6 months in prison
13. Tran Thi Mai Huong, born in 1966, 2 years and 6 months in prison
14. Tran Van Tuan, born in 1993, 2 years and 6 months in prison

15. Truong Cong Hieu, born in 1991, 2 years and 6 months in prison
16. Nguyen Thi Nham, born in 1992, 2 years and 6 months in prison
17. Do Van Co, born in 2000, 2 years and 3 months in prison
18. Dong Kim Hung, born in 2000, 2 years and 3 months in prison
19. Nguyen Huu Thai, born in 2000, 2 years and 3 months in prison
20. Nguyen Dinh Dong, born in 2001, 2 years and 3 months in prison
21. Dinh Dinh Tai, born in 2000, 2 years in prison
22. Pham Minh Tung, born in 2002, 2 years in prison
23. Dang Ngoc Hoa, born in 2002, 2 years in prison
24. Doan Thi Hanh Thuong, born in 1982, 2 years in prison
25. Nguyen Sinh, born in 1987, 2 years in prison
26. Nguyen Van Khanh, born in 1987, 2 years in prison
27. Chung Kim Thanh, born in 1973, 2 years in prison
28. Huynh Huu Long, born in 1994, 2 years in prison
29. Tran Trong Tien, born in 1988, 2 years in prison [50]

Although the authorities accused some of these protesters of participating in protests that used violence, Vietnamese activists argued that the violence was started by the authorities, who had sent people among the protesters to start or provoke violent scenes to justify police use of harsher means to disperse the crowd, such as tear gas, fire hoses, beatings and arrests. This method, activists said, is part of what the police call Project A2 - Disband protests and suppress riots. The truth is that police have used brutality against protesters and activists. This was clearly noted in the Black Sundays report, which details the arrest and torture of unarmed protesters, and puts the responsibility on the Vietnamese government, who it says must respect international human rights obligations. In the absence of press freedom, protesters should be given the benefit of the doubt, and government accusations against them should not be considered necessarily true. [51]

21. On September 22, 2016, a court in Can Tho sentenced Nguyen Hong Nguyen, born in 1980, to two years in prison, and Truong Dinh Khang, born in 1992, to one year in prison for “taking advantage of democratic freedoms to infringe upon the interests of the state, and the rights and legitimate interests of organizations and individuals.” They had done no more than uploading opinion articles on their Facebook page, but were convicted of “defaming the leaders.” [52]



Nguyen Hong Nguyen



Truong Dinh Khang

22. On October 8, 2018, the District 3 People’s Court sentenced Mr. Nguyen Van Tuan, born in 1988, to 3 years in prison, and ordered him to pay compensation to the Ho Chi Minh City Police of VND 9.5 million. Truong Ngoc Hien, born in 1997, was sentenced to 2 years in prison. Two teenagers charged with crimes committed under 18 were Nguyen Huynh Đ., born in 2000, and Bui Van T., born in 2001, who received suspended sentences of one and two years. All four were convicted on charges of “disrupting public order.” When marching along Nam Ky Khoi Nghia Street (District 3), Tuan allegedly used sticks and stones to damage two specialized motorcycles and a bus. In addition, Tuan also allegedly recorded demonstrators and shared the videos on social media.

Comment: During the past four months, no party or state media have reported that the “march” in Ho Chi Minh City damaged traffic police vehicles. If Mr. Tuan had smashed “two special motor-bikes and a bus,” did the trial produce evidence of this damage, its extent, or what Mr. Tuan used to inflict this damage? Did Mr. Tuan bring with him the items used to do the damage, or did he collect them on the road? These questions were not answered, but Mr. Tuan was forced to pay VND 9.5 million. With no real proof, the Vietnamese authorities imprisoned protesters for “disrupting public order,” when the protesters were really protesting crimes. Moreover, before that, a series of trials of protesters with similar charges took place in Bien Hoa (Dong Nai) and Phan Thiet, Phan Ri (Binh Thuan). [53]

23. Vo Van Tru, born in 1982, a Pouyuen worker, was arrested on June 16, 2016, and sentenced on October 17, 2016, to 3 years and 3 months in prison for protesting against the draft laws on Cyber Security and Special Economic Zones, and throwing stones at the police. [54]

24. On the same day, with the same charge, two more Pouyuen workers were tried, namely: Le Trong Nghia (born 1987, in Long An village), who got 2 years 3 months in prison, and Pham Thi Thu Thuy (born in 1974 in Tien Giang province), 2 years and 6 months in prison [55]

Right: Rally against the Special Economic Zone Bill (for China to rent for 99 years)



25. Doan Khanh Vinh Quang is one of four Facebook users sentenced to imprisonment in Can Tho city in September 2018. The others are Bui Manh Dong, Nguyen Hong Nguyen and Truong Dinh Khang. While traveling by vehicle to protest the Cyber Security Law and the Special Economic Zone bill, Mr. Quang was found in possession of a yellow flag with 3 red stripes and documents criticizing state policies and calling for a protest rally involving honking cars. He was sentenced to 2 years and 3 months in prison [56]. Mr. Dong was sentenced to 2 years and 6 months on charges of defaming the leader on Facebook. [57] Nguyen Hong Nguyen and Truong Dinh Khang were already mentioned above.

26. Doan Thi Hong, born in 1983, was arrested on Sept. 2, 2018, and has not yet seen a lawyer. She is said to have participated in nation-wide protests against the Special Economic Zone bill and Cyber Security Law on June 10, 2018. She is a member of the Hien Phap group (Constitution), founded on June 16, 2017, with the aim of encouraging people to understand their human rights as

expressed in the 2013 Constitution. Ms. Hong and other members had planned to call for a peaceful protest on Sept. 4, two days before being arrested, to speak out about social issues, including human rights violations, corruption, territorial disputes and environmental pollution. [58]

27. Hoang Thi Thu Vang, born in 1966, is a resident of Saigon and an advocate of human rights, democracy and food safety. She is a member of the Clean Vegetable group. According to the Vietnamese police in Saigon, she was arrested by the communist security forces on Sept. 3, 2018, and accused of “disrupting security.” She is currently detained at Detention Center No. 4 on Phan Dang Luu street, Ho Chi Minh City. As of Jan. 19, 2019, Ms. Thu Vang had yet to see a lawyer. [59]

28. Ngo Van Dung is a member of the Movement to Revive Vietnam, which advocates democracy and “freedom of the press and access to information,” according to RSF. He shared video clips of the demonstrations against the Special Economic Zone bill that occurred in June, 2018, and posted a video on the nine-year prison sentence of blogger Tran Thi Nga for alleged propaganda against the state in July, 2017. The last time Mr. Dung posted on Facebook was around 10 a.m. on Sept.



Rally against the Cyber Security Law

4, and he has been missing since that day. Earlier, his Facebook page carried regular updates on other arrested dissidents. Reporters Without Borders (RSF) called on Vietnam to immediately release Mr. Dung, calling him a blogger and activist. [60] and [61].

Many other prisoners of conscience were arrested for fighting for religious freedom or for other human rights, as noted in this Report’s other chapters. These prisoners of conscience are monitored and presented by Project 88 on their websites:

<https://vietnamprisoners.info/>

III. Activists Beaten by Police and by Thugs Hired by Police

1. Activist Phan Van Bach and his friends were unjustly assaulted in Lam Dong: Mr. Bach made known to the public that on 21/12/2018, they were beaten by “thugs” for no reason. This assault, put together with many similar assaults that occurred earlier, indicates a pattern of lawlessness. [62].

2. Activists were beaten while performing free music: Singers who performed old, pre-1975 songs and some activists were badly assaulted on the evening of Aug. 15. These included singers Nguyen Tin and Nguyen Dai, who organized the program, and independent journalist Pham Doan Trang. They were beaten after being taken to a police station, and were then left in the middle of an empty road at night. [63]

3. For defending himself after being assaulted, activist Vu Van Hung was sentenced to one year in prison: Teacher and activist Vu Van Hung received a sentence of one year in prison for defending himself when he was assaulted for no reason by gangsters in public. A Hanoi court rules on April 12, 2018, that he had “deliberately caused injury.” On Jan. 4, 2018, Mr. Hung attended a meeting to celebrate the founding of the Chu Van An Teacher Association. On his way home from his sister’s house, he was attacked by a group of thugs and, in the struggle, used a T-shaped knife to protect himself. Police took him to the Thanh Xuan Bac jail. [64]

4. Many activists protesting extortion at private toll booths (BOT) are threatened and assaulted. In news from Thai Binh. Vietnamese: Communist authorities and other groups continue to threaten, harass and assault such activists. Teacher Dang Thi Hue (Facebook name Nhu Hue) said that two strangers had caused her motorbike to overturn, breaking her arms and legs. The two men followed her on April 19 before causing the incident. In addition, she was repeatedly threatened by text that she was about to be arrested and charged with “abusing democratic freedoms,” because she used Facebook to alert drivers to excessive money collection. [65]

5. Imprisoned and still being assaulted: On March 8, 2019, Borderless Reporters (RSF) accused Vietnam of abuse of imprisoned journalists. Blogger Nguyen Van Hoa is currently on a hunger strike to protest his assault in prison. In a statement, the RSF said blogger Hoa had started a hunger strike on Feb. 22 and would continue if these abusive incidents were not investigated. RSF, based in Paris, called on the United Nations to consider taking action to end human rights violations in Vietnam. An RSF representative said: “By belittling their own laws, Vietnam once again showed their attitude, disdaining freedom of the press and the law.” [66]

6. Human Rights Watch (HRW) says Vietnam should stop assaulting activists and bloggers: HRW has indicated that Vietnam’s human rights record is bad in every way. The Communist Party maintains a political monopoly, and does not allow any challenge that might threaten the leadership of the party. Basic rights, including freedom of speech, political speech, press freedoms, and freedom of association and religion are limited. Human rights activists and bloggers are harassed, threatened, assaulted and imprisoned. Farmers continue to lose land to development projects and are not adequately compensated; workers are not allowed to establish independent unions. The police use torture and beatings to force confession. The criminal justice system lacks independence. The state’s detoxification centers exploit patients, forcing them to make products for the domestic market and for export. Despite all this, more and more activists and bloggers openly speak out for freedom and democracy. [67]

7. In a report sent to the European Union (EU), Human Rights Watch said that the EU needed to pressure Vietnam to immediately release prisoners and those detained for political reasons; put an end to the repression of freedom of expression, association, assembly and travel; allow freedom of information; stop interfering in religious affairs and take concrete measures to prevent police violence.[68]

NOTES

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II

Right to Freedom of Religion and Freedom of Worship

1. Using laws to prevent and suppress religions

There are three main sources in law for the regulation of religion in Vietnam:

«*Law for Beliefs and Religions*»,¹ issued on November 18, 2016 (with 9 chapters and 68 articles), effective January 1, 2018. The Communists have constrained believers of all religions across the country to study this law throughout the year, so that they are «*imbued with the lines of the party and the state.*»

Decree No. 162/2017/ND-CP² detailing the implementation of the above-mentioned «*Law for Beliefs and Religions*», issued on December 30, 2017 (with 5 chapters and 32 articles), effective January 1, 2018.

«*Draft Decree regulating sanctions for administrative violations in the field of beliefs and religions*»³ (with 4 chapters and 37 articles), asking for public input. If approved, the decree will take effect from the beginning of June 2018.

The purpose of the «*Law for Beliefs and Religions*» and the accompanying documents is to depict non-state religions as antagonistic forces⁴; to penalize all religious activities, turning legitimate religious activities not allowed by the authorities into violations of the law and subject to punishment; and turning appeals for religious freedom or denunciations of religious oppression by the authorities into illegal acts (often depicted as misrepresentation or propaganda against the state and harmful to national security.)

The authorities also use this law to legalize «*the mechanism of asking-giving*», which means that all religious activities need state approval, are not rights, and approval is a blessing given by the government. Moreover, they make laws and then use them to justify religious persecution:

- Acts of the authorities that suppress religion by violence (e.g., harassment, assault, arrest, imprisonment, elimination, confiscation of property, administrative sanctions) taken against religious groups who do not submit to the state, all become legal;

- Acts by the authorities oppressing those who claim religious freedom or persecuting those who accuse the authorities of repressing religions, all become legal.

2. Two-faced policy:

The purpose of this policy is to mask the persecution of religion:

- On the one hand, the government suppresses religions without mercy; on the other hand, it creates a façade of regulations that seem to respect religious freedom to deceive the world.

- On the one hand, Vietnam recognizes the right to freedom of religion in the constitution, in other statements, and in its propaganda; on the other hand, police have the authority to engage in harsh religious suppression.

For example, the authorities allow religious groups to build pagodas and churches that are magnificent religious facilities, and to organize large, crowded activities, turning religions into purely festive organizations, so that from the outside it appears that religious freedom is respected.

But they do not allow religions to conduct training in the spirit of their religion, and those who want to be ordained must have the approval of the state. Religions are not allowed to own media or to run schools or other educational institutions.

3. Manipulations of religions

Metamorphosis of religions:

After decades of government efforts to destroy religions (by laws, courts, terror, prison, harassment, intimidation, seduction, and tactics kin to sticks and carrots), the government was unsuccessful; religions still exist and develop. Therefore, the Communists changed their tactics.

- Instead of trying to destroy religion, the Communists seek to emasculate it, turning religions from forces that are detrimental to them (because religion advocates good and fights evil) into forces that are harmless or beneficial to them.

- The government tries to turn religions into a kind of opium to lull believers into a state where they no longer have a sense of the struggle against evil, injustice, or falsehood. It encourages religions to prefer external activities, such as building temples, pagodas, or churches, or organizing crowded religious festivals, but neglecting religion's main purposes: to promote good and to fight evil.⁵ In this way, religion comprises only rituals (prayer, feasts, processions) and no longer educates people's consciences.

- The government tries to infuse superstition into religion; for example, the Ba Vang pagoda organized a ritual called in Vietnamese «*Giải Vong*»⁶ for thousands of people, collecting hundreds of billions of Vietnamese *dong* from those who came to «*petition spirits to set them free*»⁷;

- Religions are becoming only an outer shell, and are no longer true religions,. Believers as well as religious leaders become insensitive to the crime and social injustice caused by the regime⁸.

- As a result, foreigners coming to Vietnam see religious facilities and crowded festivals, and conclude that Vietnam still has religious freedom.

- This metamorphosis of religion is carried out in two ways. Religious groups are suppressed that dare to become active in «*promoting good and fighting evil*», so that these groups become fewer and less influential. This leaves those who are silent, insensitive to the crimes and social injustice caused by the regime, or favoring believers and religious leaders who are not only silent before the crimes of the regime, but also do what is beneficial for the regime's religious policies.

- Some temples in Vietnam have put Ho Chi Minh's statue on the altar together with Buddha, so that Buddhists consider him to be a divine being.⁹

Using the «state-run religions»

- These are religions that completely submit to the state and accept the control and administration of the state.
- They serve as decorations for religious freedom.
- They try to attract believers to join in religious activities that are present no harm to the regime or the ruling party.
- The act as the authorities' eyes and ears, reporting on the leaders and faithful of religions that do not submit to the communist government.
- If it is impossible for the state to suborn a religion, the government will establish an organization with the same name that follows their instructions, such as the Catholic Union Committee¹. These organizations are responsible for:
 - Propaganda that is beneficial to the regime.
 - Convincing religious leaders to collaborate and support the government's line and policy, especially to be silent about social injustice, crimes or wrongdoing caused by the regime.
 - Reporting to the state on the thoughts and activities of religious leaders who do not submit to the state.
 - Acting as the tool of the regime.
- The government uses various people and organizations in its efforts to neutralize religions, such as network security police and drivers of public opinion, to:
 - Operate on the Internet to create public opinion favorable to the regime when it represses human rights and harms religions.
 - Devastate religions that do not submit to the state, slandering and insulting those who fight for religious freedom.
 - If necessary, use policemen or thugs to form «*spontaneous masses*» to assault, beat and harass those who fight for religious freedom.

4. Repression by violence

Caodaism :

– On January 12 & 16, 2018, the police invited Mr. Hua Phi, a Cao Dai leader and co-chairman of the Vietnam Inter-religious Council, to be interrogated regarding his «*speech insulting the Vietnamese people*». Mr. Phi rejected these invitations as harassment and slander because the police presented no concrete evidence.¹¹

- At 5:00 p.m. on June 22, 2018, police in Duc Trong district, Lam Dong province, broke into Mr. Phi's home, beat him to unconsciousness, and cut his beard. When his family took him to the hospital that night, the police blocked their way. Mr. Phi felt the police behavior was connected to a letter from the Australian Embassy inviting him to meet with the embassy officials in Saigon on June 25, 2018 before the Australia-Vietnam annual human rights dialogue.¹

Hoa Hao Buddhists

- On January 23, 2018, An Giang Province People's Court sentenced to 12 years of imprisonment Mr. Vuong Van Tha, a Hoa Hao layman. Hoa Hao Buddhists are a sect independent of the state. Mr. Tha was accused of propaganda against the state under Article 88 of Vietnam's Criminal Code. In the same trial as Mr. Tha's, Mr. Vuong Thanh Thuan, his son, born in 1990, was sentenced to 7 years in prison, and his twin nephews, Nguyen Nhat Truong and Nguyen Van Thuong, born in 1985, were sentenced to 6 years in prison.¹³



- On February 9, 2018, the court in An Giang province sentenced 6 Hoa Hao Buddhists to a total of 22 years in prison and 2 years of suspended sentence. Among them were 4 people of a same family. The defendants were Mr. Bui Van Trung, 6 years in prison; Bui Van Tham, Trung's son, 6 years in prison; Bui Thi Bich Tuyen, Trung's daughter, 3 years in prison; Ms. Le Thi Hen, Trung's wife, 2 years of suspended sentence; and two others, Nguyen Hoang Nam, 4 years in prison, and Le Hong Hanh, 3 years in prison. Bui Van Trung, a family member, told VOA on February 9, 2018: «The administrative and traffic checks are an excuse to charge us with disrupting public order, but they were actually persecuting our religion. They took our car papers, our cars, and yet charged us with being disruptive. This verdict is a very heavy one for our family and our co-religionists.»¹⁴

- On May 24, 2018, the People's Court of An Giang Province, in an appellate trial, sentenced 6 Hoa Hao Buddhists to the same judgment as the first trial, with the allegation of «*disrupting public order*» under Article 245 and 257 of Vietnam's Criminal Code.¹⁵

- On June 5, 2018, Thao, Mr. Tha's daughter, told RFA that 6 months after her father was arrested, the family still could not meet with him. The prison said that he was being disciplined and in solitary confinement, and could not be visited.¹⁶

Unified Vietnamese Buddhists

- Around 11:00 p.m. on June 10, 2018, Buddhist monk Thich Dong Long was taken to police headquarters in Tan Dinh ward, District 1. At 3:00 a.m. the next morning, he was taken to the police station of Cu Chi district, where he resided. He was detained because he and his mother had joined a protest demonstration against the Special District Law in Saigon on June 10. He and his mother were fined 450,000 VND for participating in a large gathering.¹⁷

Evangelical Protestants

- On March 1, 2018, four ethnic Hmong families in Vietnam were attacked because they refused to give up their Christian faith, causing four people to be hospitalized for wounds to their heads and hands. The four families, of 24 members, were said to have converted to Christianity. A UNPO newsletter dated March 19, 2018, reported this news, citing sources from the World Watch Monitor that said there were reports clearly stating the local Vietnamese government where the Hmong Christians resided often required them to renounce their religion; otherwise, they would be forced to leave their villages.¹⁸

- On June 27, 2018, Thanh Hoa provincial police went to the house of Mrs. Nguyen Thi Lanh,

the imprisoned Pastor Nguyen Trung Ton's wife, and gave her a summons to the police station to interrogate her about answers in an interview with her from overseas. She refused to go because she did not think her answer violated Vietnamese law. Around that time, three or four plain clothes people followed her, even when she went out for business or to take her children to school, upsetting her family activities.¹⁹

Catholics

- On February 21, 2018, the Bishop of Vinh diocese, Nguyen Thai Hop, transferred Father Dang Huu Nam from Phu Yen parish, Quynh Luu district, Nghe An province where many fishermen were affected by the Formosa Company's environmental disaster, to My Khanh parish in Khanh Thanh commune of Yen Thanh district. Father Nam has repeatedly criticized the Vietnamese government for its handling of the Formosa disaster. The transfer was done under public pressure by the government, which made written and direct requests not only to the Bishop of Vinh, but also to the Vietnam Bishops' Conference and even to the Vatican.²⁰

- On Nov. 6, 2018, Father Joseph Nguyen Duy Tan, responsible for Tho Hoa parish of Dong Nai province, joined 24 other priests came at Tan Son Nhat airport in Ho Chi Minh City to travel on a tour to Malaysia. Fr. Huy was stopped and prevented from leaving the country by security there, saying they were carrying out an order from the Dong Nai Police.

5. Activities for religious freedom

In the country

- On January 8, 2018, the Vietnam Interfaith Council and the Nguyen Kim Dien group of priests sent a public letter to Thien An monastery regarding the looting, slander and intimidation of the monastery by the Hue government, and the sorrow and pains suffered by the monastery from the Vietnamese Communist Party's cowardly intrigues, after a land expropriation and assault.²¹

- On February 20, 2018, Nguyen Trung Trong Nghia, son of imprisoned Pastor Nguyen Trung Ton, at the Human Rights and Democracy Summit in Geneva, recounted that his father had been harassed and brutally assaulted by Vietnamese police, and said he had also witnessed human rights violations in Vietnam.²²

- On March 19, 2018, representatives of the U.S. and Canadian missions in Saigon went to Giac Hoa Pagoda to meet representatives of the Inter-Faith Council, listen to their presentation on the situation of religious freedom in Vietnam, and hear the opinions of independent religious organizations in Vietnam in order to have sufficient data for the Vietnam-US human rights dialogue that would take place in Washington DC in May 2018. Coming from the U.S. Consulate General were Ms. Mary Tarnowka, Consul General, and Ms. Pamela Pontius, a political officer. The Canadian representatives were Mr. Kyle Nunas, Consul General and Mrs. Monique Lamoure, Political Counselor. For the Vietnam Interreligious Council, there were the Venerable Thich Khong Tanh of the Unified Buddhist Church of Vietnam; two Cao Dai dignitaries, Nguyen Kim Lan and Nguyen Bach Phung; Rev. Nguyen Xuan Loc, a Catholic priest; Evangelical Pastor Nguyen Hoang Hoa; and two Hoa Hao Buddhists, Le Van Soc and Le Quang Hien (of different Hoa Hao groups).²³

- On April 15, 2018, thousands of Catholics in Van Hanh Parish, Van Hanh Deanery, Ha Tinh City, gathered in Van Hanh parish church for a Mass of Justice and Peace for prisoners of conscience who had opposed the perverse and brutal actions of the Vietnamese government. The Van

Hanh deanery has a population of more than 40,000 people in 10 Parishes and a very large number of victims of the Formosa marine disaster. During the Mass, Reverend Hoang Xuan Huong stated that the so-called «public court» that the authorities have conducted were nothing but a farce, a retaliation against those who dared to sacrifice for the country and for the poor.²⁴

- On May 3, 2018, the Montagnard Human Rights Organization (MHRO) and the Convention Against Torture in Vietnam (CAT-VN) released a 25-page report denouncing the Vietnamese Communist authorities for continuing to persecute ethnic minority Christians in the central highlands. The report showed that ethnic minority people there had been targeted by the Vietnamese authorities as enemies even in their own homeland. The minorities might be accused of «spying» or «wanting to overthrow the government» just because they wanted to practice their religion independently or to fight against land appropriation. The report also provided evidence that government officials continued openly to force ethnic people in the central highlands to give up their religion; people who were still determined to worship at home churches were being made to face beatings, arrest, and imprisonment.



Montagnard Christians who worship in independent house churches, face beatings, pressure to recant their faith, arrest and imprisonment.

The report's statistics showed that at least 60 ethnic minority people in the central highlands were currently serving a prison sentence of up to 17 years only because they exercised their right to express their political views and to worship independently. According to the report, the central highlands Montagnards account for less than 2% of Vietnam's population; but half of the prisoners of conscience in the country are of from this group. The report also says that at least 25 ethnic people died in prison from torture and mistreatment. Due to this persecution, many of them fled to Cambodia and Thailand to seek refugee status.²⁵

- On May 19, 2018, a statement was posted online with the signatures of more than 10 civil society organizations and more than 100 individuals that called on the government to return Lien Tri Pagoda and the premises of the Congregation of the Lovers Of The Holy Cross at Thu Thiem in District 2, Ho Chi Minh City. Lien Tri Pagoda, more than 100 years old, had been destroyed. Thu Thiem church and the monastery of Congregation of the Lovers of the Cross, also over 100 years old, was at risk of being confiscated by the authorities. The statement also denounced the fact that land appropriation has been perpetrated not only in Thu Thiem, but also in many other parts of the country.²⁶

- On June 14, 2018, Mr. Daniel Kritenbrink, U.S. Ambassador to Vietnam, and a delegation visited Venerable Thich Quang Do, who was under house arrest in Thanh Minh Zen Pagoda in Saigon. The Venerable Thich Quang Do gave the delegation a 12-page booklet detailing the government's systematic repression of the Unified Vietnam Buddhist Church for the last 43 years, as well as his concerns about religious freedom, Vietnam-China relations, the newly passed network

security laws, and the situation of human rights and democracy in Vietnam.²⁷

Overseas

On November 17, 2018, as in many previous years, the Movement of the Vietnamese Laity in the Diaspora organized an award ceremony for the Nguyen Kim Dien Religious Freedom Prizes in Houston, Texas, and these prizes were awarded to Mr. Hua Phi, a Cao Dai leader, and Rev. Phan Van Loi, a Catholic priest, for fighting for religious freedom during the year.²⁸

On March 27, 2018, the BPSOS Commission handed over to Mr. Sam Brownback, U.S. Ambassador-at-large for International Religious Freedom, a document alleging that the Red Flag Associations were a threat to Catholic communities in Vietnam. The 18-page document said that formation of Red Flag groups was spreading from Nghe An to Hanoi and to Dong Nai province. The Red Flag Associations are not under the government, but are seriously violating people's human rights without being punished by the authorities – especially Catholic communities that question how the government handles the disasters caused by the Formosa iron and steel plant. They have threatened Catholics, attacked and defamed reputable people in the Catholic community, and violated their homes and places of worship.²⁹

- On April 18, 2018, the U.S. Commission on International Religious Freedom (USCIRF) organized an important conference in Washington, DC to assess the situation of violations of religious freedom in the world, and Vietnam was mentioned as a prominent case. During the seminar, Pastor Nguyen Cong Chinh presented the «*two-faced policy*» that the Vietnamese regime applies to religions and dissidents, creating for international consumption a formal picture that seems to respect human rights while actually repressing them. For example, religions are permitted to build impressive temples, for international deception such as permitting to build magnificent temples, but this is simply part of the regime's effort to turn religions into purely festive organizations, a kind of opium to lessen people's willingness to fight for good and oppose evil.³⁰

- On January 10, 2018, Open Doors International, an international Christian protection organization, announced a ranking of religious persecutors in the world in 2018. Vietnam was ranked 18th in religious persecution on a list of the 50 worst countries that oppress Christianity globally.³¹



- On April 9, 2018, the Office of U.S. Congressman Alan Lowenthal announced that he had officially sponsored the Venerable Thich Quang Do through a congressional program for the protection of freedom Cong. Lowenthal noted that Thich Quang Do had bravely raised his voice for freedom of religion and basic human rights, for which he had been oppressed by the communists the past few decades.³²

- On May 29, 2018, the U.S. State Department released its World Religious Freedom Report for 2017. The part about Vietnam denounced the communists for their efforts to control religious activities under the pretext of «*protecting national security*» and «*maintaining national unity*».

NOTES

- ¹ <http://luatvietnam.vn/chinh-sach/luat-02-2016-qh14-quoc-hoi-111021-d1.html>
- ² <https://thuvienphapluat.vn/van-ban/Van-hoa-Xa-hoi/Nghi-dinh-162-2017-ND-CP-huong-dan-Luat-tin-nguong-ton-giao-353702.aspx>
- ³ https://www.rfa.org/vietnamese/in_depth/draft-on-anti-government-activities-under-religious-causes-07242017114707.html
- ⁴ <https://www.sbtn.tv/hoi-dong-giam-muc-chi-trich-csvn-xem-ton-giao-la-luc-luong-doi-khang-2>
- ⁵ «Christianity is at risk of becoming increasingly corrupt, Vietnamese Christians in general still “hold” the faith. However, the religious life is too formal, with a special focus on superficial amenities and festivals, such as building churches and pilgrim centers...rather than living practical activities in the social life. Since then, the Church has moved away from the worries and anxieties of people, who are oppressed, exploited and abandoned on the social side.» (<https://www.phongtraogiaodan.com/a470/nhan-dinh-va-de-nghi-truoc-hien-tinh-dat-nuoc-va-giao-hoi-viet-nam>)
- ⁶ Giải Vong = a superstitious ritual to free people from the spirits who follow and try to damage them.
- ⁷ <https://www.bbc.com/vietnamese/vietnam-47693375>; «The Buddhism (state-run in Vietnam) is a copy of social corruption when the conflict, bribery and running of the society are minimized within the temple, and vice versa from the temple spread to the society. And it is frightening when religious corruption becomes the standard or the justification for social corruption...» (<https://baotienngdan.com/2019/03/29/ton-giao-va-su-suy-thoi-dao-duc-xa-hoi/>)
- ⁸ «The leaders of religions also excuse “leading a religious life without worrying about politics” and abandoning the social turmoil for “the laity”! If any temple, church, religious abbey is taken by the state, the abbots thereof must take care of themselves! The intellectuals also seek their own peace, only a very few people with a good mind still attach in a certain degree to the people of the country!»(<https://danlambaovn.blogspot.com/2018/05/nguoi-dan-vn-vo-cam-hen-nhat-trach.html>)
- ⁹ <http://4.bp.blogspot.com/-IeJR8U5Bkfk/UgVvtR8k7qI/AAAAAABVx0/n-1KzqVLJho/s1600/hochiminh-tho.jpg>; <http://media.doisongphapluat.com/307/2014/11/8/khu-du-lich-dai-nam-15.JPG>; <https://chantrioimoi-media.com/wp-content/uploads/2018/02/HCM-t%C6%B0%E1%BB%A3ng-trong-ch%C3%B9a-1.jpg>; <http://1.bp.blogspot.com/-6nq7OIixN30/VbE92VwXBCI/AAAAAAAD3A/7nHTdCPsFrA/s1600/Que%2Bhuong%2Btoi%2Bcu%2Bmai%2Bdieu%2Blinh%2B061.jpg>
- ¹⁰ <https://8406news.com/a4711/ton-giao-quoc-doanh-la-thu-ton-giao-bien-chat-ms-nguyen-hong-quang->; http://dan-gchihung.blogspot.com/2012/10/nhan-dien-ton-giao-quoc-doanh-ton-giao_21.html
- ¹¹ <http://ubdkcgvn.org.vn/vi/gioi-thieu/>; <https://saigonvs.wordpress.com/2011/09/21/uy-ban-doan-ket-cong-giao-tap-doan-cua-am-muu-va-toi-ac-phan-1>
- ¹² <http://www.vietnamthoibao.org/2018/01/vntb-cong-moi-chanh-tri-su-hua-phi-lam.html>; <http://www.vietnamhumanrightsdefenders.net/2018/01/19/cong-an-moi-chanh-tri-su-hua-phi-lam-viec-vi-phat-ngon-xuc-pham-dan-toc-viet-nam/>
- ¹³ <http://viendongdaily.com/chanh-tri-su-hua-phi-bi-cong-san-trum-dau-danh-trong-thuong-cat-rau-Om7PSCM2.html>; <https://www.baocalitoday.com/viet-nam/chanh-tri-su-hua-phi-cao-buoc-cong-o-lam-dong-hanh-hung-cat-rau.html>
- ¹⁴ <https://www.rfa.org/vietnamese/news/vietnamnews/dissident-hoa-hao-buddhists-put-on-trial-01232018081626.html>; <https://danlambaovn.blogspot.com/2018/01/cuu-tnlt-vuong-van-tha-bi-tuyen-12-nam.html>
- ¹⁵ <https://www.sbtn.tv/sau-tin-do-phat-giao-hoa-hao-bi-ket-an-22-nam-tu-giam>; <https://www.baocalitoday.com/tieng-noi-tu-trong-nuoc/giang-6-tin-phat-giao-hoa-hao-sap-bi-dua-ra-xet-xu.html>
- ¹⁶ <https://www.sbtn.tv/toa-an-giang-y-an-24-nam-tu-doi-voi-6-tin-do-phat-giao-hoa-hao/>
- ¹⁷ <https://www.rfa.org/vietnamese/news/vietnamnews/authentic-hoa-hao-buddhist-prisoners-punished-in-jail-06052018092104.html>

- ¹⁸ <https://www.rfa.org/vietnamese/news/vietnamnews/independent-buddhist-monk-detained-during-protest-is-released-06132018092440.html>
- ¹⁹ <https://www.imclips.net/video/GNefxRaKZwY.html>; <http://viettan.org/gia-tang-dan-ap-ton-giao/>
- ²⁰ <https://www.rfa.org/vietnamese/news/vietnamnews/political-prisoner-nguyen-trung-tons-wife-summoned-and-prevented-from-doing-business-06272018102338.html>
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- ²² <https://baotienngdan.com/2018/01/09/thu-hiep-thong-voi-dan-vien-thien-an-bi-cuop-boc-vu-khong-va-ham-doa/>
- ²³ https://www.youtube.com/watch?v=QZWUEvi9_7E; <https://chantroimoimedia.com/2018/02/22/bai-phat-bieu-cua-nguyen-trung-trong-nghia-tai-hoi-nghi-thuong-dinh-cho-nhan-quyen-va-dan-chu-tai-geneva-geneva-summit-2018/>
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- ²⁶ <https://www.rfa.org/vietnamese/news/vietnamnews/vietnam-s-relentless-repression-of-montagnard-christians-05032018084410.html>
- ²⁷ <https://www.rfa.org/vietnamese/news/vietnamnews/petition-thu-thiem-05202018143343.html>
- ²⁸ <https://www.rfa.org/vietnamese/news/vietnamnews/us-ambassador-daniel-kritenbrink-visits-detained-buddhist-patriarch-thich-quang-do-in-vn-06152018110547.html>
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- ³⁰ <https://binhtrung.org/p162a51213/hoi-co-do-moi-de-doa-nham-vao-cac-cong-dong-cong-giao-o-viet-nam>
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- ³² <https://www.voatiengviet.com/a/4203817.html>
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- ³⁴ <https://www.voatiengviet.com/a/4415088.html>; <https://www.rfa.org/vietnamese/news/vietnamnews/vietnam-2017-international-religious-freedom-report-05292018141400.html>

III

HUMAN RIGHTS IN THE ECONOMIC FIELD

1. General

International law as well as the laws of developed countries have provisions on economic human rights. In general, that is the right to make a living. People have to be protected by laws that ensure the right to make a living, freedom of employment, the right to work without discrimination or mistreatment, and the right to protect personal and public property. For example, the National Economic & Social Rights Initiatives (NESRI) lists two major economic rights as “the Right to Food” and “the Right to Work.” The United States has many laws on the rights of laborers in international trade (U.S. trade law, free trade agreements, labor rights litigation, etc.). The European countries consider human rights important in international trade and investment.

In reality, many countries violate the rights above (especially countries under dictatorship, including Vietnam). This causes a lot of harm to the victims as well as to the economic and social development of those countries. For global integration, Vietnam needs trade with many countries, especially democratic and capitalist countries, which have laws on human rights in international trade and investment. In reality, Vietnam has violated many international laws for the last several years. In recent years, rather than improving human rights, communist Vietnam has seriously increased violations of human rights. In this report of the Vietnam Human Rights Network, we bring to light these violations.

2. Government forcibly removing common people from their land

Forcibly removing people from their land under the false pretense of eminent domain is the most serious human-rights violation in Vietnam, dating back a decade or more. This kind of violation continued as of last year and is on-going. This violation infringes upon the “right to live” and “right to possess property.” The government of Vietnam misused its 1993 law (and 2013 addendum) on the use of land, causing harm and misery to hundreds of thousands of common people when they were forcibly moved to a new place. This also caused harm to the general economy.

In 2018, there were many incidents of the government’s forcibly removing common people from their land. There were three major misuses of the law and overreach of authority in the redeveloped town of Thủ Thiêm. The violations were: the government forcibly took land from the common people and compensated them at a low price, then turned around and sold the land to developers at a price at least ten times higher. That is equivalent to robbing the common people – the government took away people’s right to negotiate with developers. Moreover, in Ho Chi Minh City, there were 160 households outside the area considered subject to eminent domain, but the city government redrew the map and took the land of these 160 households, too. The compensation was too low for proper relocation of these people, and they lived for a long time in misery. The use of force to take land is a violation of the right to possess property and a misuse of the principle of law. The government went against the principle that eminent domain is for the common benefit of residents and society. In this huge project, many areas were not needed for this purpose; nonetheless, these areas were sold to developers to build private high-rise buildings as well as a huge (but not needed) concert hall.

Another major violation occurred when the military took part of the land of Tan Son Nhut Airport and contracted with a developer to build a golf course, restaurants, and hotels. This project did not benefit society; instead, the real common need — to expand the airport’s runways, gates, and passenger facilities — remains unmet.

The third major violation took place in Ho Chi Minh City earlier this year. The government blatantly and forcibly took the land of roughly 200 households in the Lộc Hưng area of Tân Bình District. This is an example of using violence to violate people’s right to live. People’s opinions were not sought, and people were not given notice prior to being evicted from their land. People strongly opposed this action. The majority of these people and their parents have lived in the area for more than 60 years (after migrating from North Vietnam to the south). They are poor people who made a living by growing and selling vegetables. The need for eminent domain (for a school) was not reasonable. Land for the school could have easily been obtained elsewhere. Considering that the action was unnecessary and illegal and that the landowners were treated inhumanely, people have to conclude that the group behind this action were red capitalists – just as in thousands of similar cases.

3. Violations of laborers’ rights (Labor Rights)

Laborers’ rights are important human rights. These rights are recognized by the international human rights convention and the International Labor Organization (ILO), and include the following basic rights: the right to form independent labor unions, the right to collective bargaining, the right to work in a safe and clean place, and the right to work in an environment free of discrimination. Vietnam is a member of the ILO and has ratified several ILO conventions while failing to ratify others. In reality, the government of Vietnam does not comply with international labor standards. Last year, two issues arose related to labor rights: (1) The European Community did not approve the Trade Agreement with Vietnam (EVFTA) in November 2018, because it said that Vietnam had not done enough to demand respect for human rights, especially laborers’ rights. (2) Vietnam signed the CPTPP Trade Agreement with 11 members, without the United States (November 2018). In this agreement, Vietnam was to revise its Labor Law in accordance with international law (i.e. Vietnam must allow workers to establish independent unions and allow collective bargaining rights to protect their rights. Vietnam promised but did not enact this change. Until now, the Labor Union of Vietnam was not independent, it was a part of the communist party. However, with the 11 countries having signed the CPTPP Agreement and the European-VN Free Trade Agreement, although not yet realized, the struggle for independent trade unions and other rights has a chance for workers and the public struggles to gain some human rights.

4. Corruption

In the past year, there have been many horrific corruption cases. The main factors that uncovered the corruption are the struggle of the people, the anti-corruption campaign of General Secretary Nguyen Phu Trong, and in part due to international pressure. In Vietnam, corruption is disastrous for the people. The main cause of corruption is the socialist regime itself. In the last two years, there have been major corruption cases such as: Vietnam Oil and Gas Group (PVN) - In March 2018, Dinh La Thang and other senior officers of PVN continued to be prosecuted on charges of making illegal deposits at Ocean Bank, causing losses to the public fund of thousands of billion Vietnam dollars. Recently, PVN was prosecuted in a case of joint venture with Venezuela with about US \$ 1.2 billion in investment (40% of investment capital). After 4 years, this joint venture went bankrupt. PVN lost nearly a billion dollars. This is a typical case of major corruption and loss of public fund due to the process and rules of the socialist regime.

The case of “aluminium” Vu (real name is Phan Anh Vu) in Da Nang - This is a case of appropri-

ating public property in Da Nang and was prosecuted last year. “Aluminium” Vu, under the name of a real estate company with the police generals secretly behind it, forced the local Da Nang government to sell very valuable land lots without going through a bidding process. The land was then sold again to the private sector at a very high price, causing losses of hundreds of millions of dollars. The prosecution is not completed because there are still many links to some other officials.

The case of Mobilphone - This is a major corruption case due to the collusion between very high-ranking officials of the Vietnam government and the red capitalists. Mobilphone, the state-owned mobile phone company, bought privately held AVG in 2016 for VN \$8,889 billion (US \$ 391 million). Just the fact that a state-owned company purchasing a private company is against Vietnam’s privatization policy. But due to the collusion of a senior official of the Ministry of Information, Mobiphone (state-owned company) purchased AVG (private company) at a price 10 times higher than the actual worth. This collusion damaged the public fund by over 300 million US dollars. Although AVG cancelled the deal after this was discovered, the prosecution of the case continued earlier this year. The General Director and some Mobilphone officials and two former Minister of Information officials, Nguyen Bac Son and Truong Minh Tuan, were arrested. This is the case of corruption due to abuse of power and collusion by the most senior officials, therefore the most blatant form of corruption.

Selling public properties in Ho Chi Minh City is a practice considered the gold mine of the Vietnam’s socialist government. So the corruption cases can be said to be the most terrible and blatant, violating human rights and Vietnam’s own laws, starting from the time the Vietnamese communists took over South Vietnam. In the past year, it was revealed that government officials sold real estate properties without bidding, the biggest cases being the golden land of Le Duan Street in District I, the land of Nha Be, and the land in the redeveloped urban in Thu Thiem.

A corruption case unique in a communist country happened in the past year - the case of the two police generals organizing and protecting the two illegal gambling casinos for the high rollers (on the scale of millions of US dollars): The gambling took place over the police’s computer network and these officials took 20% commission of the gambling proceeds. The two police generals Phan Van Vinh and Nguyen Thanh Hoa were arrested and imprisoned.

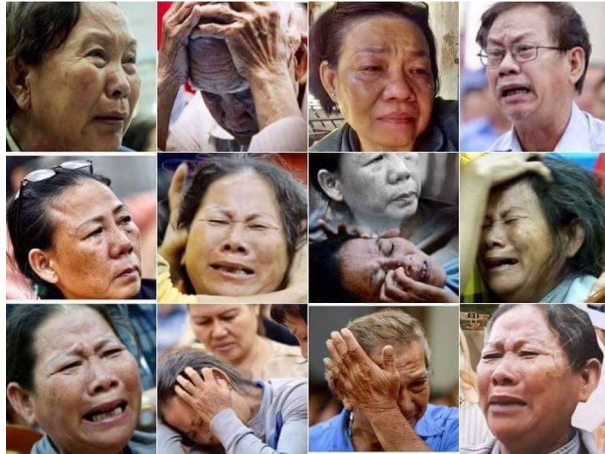
Corruption is the biggest human rights violation in the world. In Vietnam, corruption is horrible. Thanks in part to the anti-corruption campaign of General Secretary Nguyen Phu Trong, many major corruption cases masterminded by high-ranking party members were revealed (even though the motive of the anti-corruption campaign is to purge different factions in the Vietnamese Communist Party).

5. Remarks and Suggestions

Through the summary of the recent serious human rights violations, we can make these observations: The main cause of economic human rights violations is the nature of the Vietnam’s socialist regime. The government uses the laws and administrative principles, the administrative organizations, the semi-official organizations, and party members to form a repressive system with intent of violating human rights.

The level of violation is very high and sustained. The consequence is the loss of trust of the people and the world, as demonstrated by domestic protests over the past year and strong criticisms of Vietnam in meetings on international human rights or trade.

The major misconducts were revealed by the anti-corruption campaign of General Secretary Nguyen Phu Trong, which largely focused on the elimination of other factions in the party. This campaign only hits a small number of party members, but it cannot eliminate all misconducts or



Thousands of people lost their houses and their lands in Thu Thiem, Ho Chi Minh City and Van Don as well as “BOT” toll stations on many public roads.

improve governance if the communist regime still exists.

Major corruptions cost billions of US dollars a year and the prosecution of corruption only recovered approximately 30% of the public robbery or loss. The cases that the government prosecuted are only a very small part of the tens of thousands of cases that were not prosecuted.

The Vietnam government colluded with the red capitalists through interest groups. That is an inherent flaw in its governing model of “socialist-oriented market economy”. There are too many examples of bad conduct from high-class construction projects in Hanoi, Saigon, Phu Quoc,

Economic dependence on China is a catastrophe just from the point of view of economic human rights. The Vietnamese Communist Party and the Chinese Communist Party have colluded more and more by the day. From unbalanced trade relation to major projects awarded to Chinese companies without public bidding, the Vietnamese people’s economic rights were violated. The most recent example are the Cat Linh - Ha Dong High-speed Railroad and the power plants in Binh Thuan and Tra Vinh ... The economic damage to the public was poor quality construction.

Recommendation:

The corruption problem in Vietnam will still exist as long as the socialist regime is still in power. However, the current situation in the country and in international relations leaves hope that people’s lives can be improved, especially if we can take advantage of Vietnam’s need for economic integration with the world and collaborate with a well-planned strategy to push Vietnam to improve economic human rights.

In Vietnam, people and civil organizations continue to struggle/advocate for economic human rights, on at least on four fronts:

On land grab violations, both domestic and international monitors know these cases very well; so our coordinated struggles will yield some results.

On labor rights, based on the provisions of the European Free Trade Agreement and CPTPP, it is possible to fight for the establishment of independent trade union(s). This issue has the basis in international law and broad public support. So people need to struggle cleverly. They need the help of overseas Vietnamese community and international agencies.

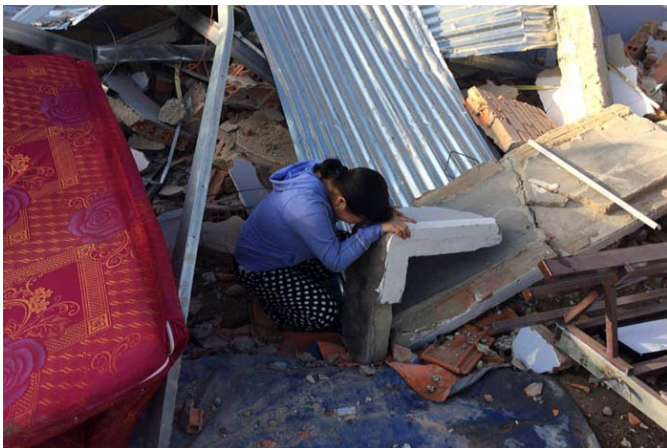
On corruption, organizations and people take advantage of the party’s anti-corruption campaign and raise questions on major corruptions that were previously covered up. When different factions within the party fight each other, more major corruption cases will be revealed. At least, party members will be a little afraid of being prosecuted. The revelation of major corruption cases is opportunity for countries, as trade partners or investment partners with Vietnam, to press Vietnam to gradually reform and comply with international laws. The specific way is to try to coordinate information on some major corruption cases for the US States Department and Canada State Department to apply the Magnitsky Law. This law dictates that corrupt officials who violate human rights not be allowed to enter the United States and that their properties/accounts in the United States and/or Canada to be frozen. Organizations of overseas Vietnamese need to report, regularly and

sufficiently, violations of human rights to the United Nations and other international agencies as well as some governments.

On the Chinese economic invasion: Just from the point of view of the collusion between the governments of Vietnam and China (excessive appropriation of natural resources to China and the awards of major projects to Chinese companies without bidding is the violation of economic rights. People and intellectuals have been protesting and should continue to protest against the communist government on this matter.



Some people came back to visit their destroyed home by the government in one night January 8, 2019, to see if they can still find some belongings (The Loc Hung Vegetable Garden)



The woman cried on the wreck of her home destroyed

Recommendations

For the United States and Other Western Governments:

The United States has become one of the top export markets for Vietnam in recent years, and a potential strategic ally for Vietnam in its complicated relations with China. Vietnam's economy has become more and more dependent on the U.S. the market and direct investment. Its military forces have benefited from increasing cooperation with the U.S. military. This special relationship gives the U.S. government significant leverage with which to influence the behavior of the Vietnamese government with respect to human rights and the rule of law.

1. The Global Magnitsky Act of 2016 is perhaps the most effective tool that can be used by the American Administration to sanction gross human right violators. It allows the U.S. government to identify and punish specific individuals who are directly responsible for abusing their own citizens. Unlike the application of economic sanctions, which requires a major shift in policy and usually requires Congressional support, Magnitsky sanctions only target those individuals directly responsible for human rights abuses and they can be imposed with an executive order by the president. For the last two years, the Administration has imposed sanctions on at least 34 individuals around the world. Nonetheless, Magnitsky has not been used against any government official from Vietnam. We strongly recommend that these sanctions be applied to certain individuals in the government and within the security apparatus. This would be a powerful deterrent to those who choose to take part in carrying out human right violations.
2. Similar provisions to those of the Global Magnitsky Act are currently in effect in the United Kingdom and Canada. We urge the UK and Canadian governments to extend the same measures to human right violators from Vietnam.
3. Currently, the U.S. is not yet a major donor of foreign aid to Vietnam. According to a State Department report, the total amount of U.S. aid appropriated for Vietnam in 2018 was about \$150 million, which is small compared to that of China or Japan. And yet, about \$30 million was earmarked for "security sector reform" (1). We recommend that the U.S. government use this funding very carefully to ensure that it serves the purpose of truly reforming the security sector, and does not become another tool for repression.

4. Of the total amount of aid in 2018, only \$16 million (a little more than 10%) was reserved for programs to promote human rights and civil society (2). To put this into context, that is only a tiny portion of total U.S. foreign aid in 2018 (\$38 billion). The U.S. can do much more in these areas to help improve the situation in Vietnam.

For Human Rights Organizations:

1. NGOs, or non-governmental organizations, have been a powerful force in helping to improve the state of human rights in Vietnam. We call on international organizations such as Amnesty International, Human Rights Watch, and Freedom House to continue their vigilant watch over the Vietnamese government and to speak out against violations.

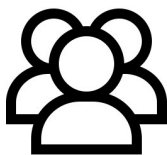
2. Furthermore, human rights organizations can work together to advocate for a common agenda: stronger application of the Global Magnitsky Act, and more effective use of foreign aid to improve human rights and civil society in Vietnam.

References:

(1) <https://www.foreignassistance.gov/explore>;

(2) <https://www.foreignassistance.gov/explore>





Appendix I
List of Vietnamese Prisoners of Conscience
& Political Prisoners currently in Jail
Updated 2018/05/01

Please go to this webpage to see:
<http://vietnamhumanrights.net/2018/appendix1.pdf>

Appendix II
List of Prisoners of Conscience
in Probationary Detention/ House Arrest
Updated 2018/05/01

Please go to this webpage to see:
<http://vietnamhumanrights.net/2018/appendix2.pdf>

Appendix III

Vietnam Human Rights Award 2017

Since 2002, the Vietnam Human Rights Network (VNHRN) has annually presented its Vietnam Human Rights Award to prominent human rights and democracy activists in Vietnam who have made their mark in the inexorable march towards freedom, human rights and democracy for the Vietnamese people. These Vietnam Human Rights Awards have gone to a constellation of names easily recognized around the world:

2002: The Most Ven. Thich Quang Do and Fr. Thaddeus Nguyen Van Ly

2003: Messrs. Nguyen Vu Binh, Le Chi Quang, Nguyen Khac Toan, and Dr. Pham Hong Son

2004: Mr. Pham Que Duong and Dr. Nguyen Dan Que

2005: Mr. Le Quang Liem, Fr. Peter Phan Van Loi, and Ven. Thich Tue Sy

2006: Messrs. Do Nam Hai and Nguyen Chinh Ket

2007: Mr. Hoang Minh Chinh, Atty. Nguyen Van Dai, and Atty. Le Thi Cong Nhan

2008: Ven. Thich Thien Minh, Blogger “Dieu Cay” Nguyen Van Hai, and Tu Do Ngon Luan Magazine

2009: Writer Tran Khai Thanh Thuy and Pastor Nguyen Cong Chinh

2010: Journalist Truong Minh Duc and Labor activist Doan Huy Chuong

2011: Dr. Cu Huy Ha Vu and Labor activist Do Thi Minh Hanh

2012: Ms. Pham Thanh Nghien, Blogger Ta Phong Tan, and Ms. Huynh Thuc Vy

2013: Atty. Le Quoc Quan, Mr. Tran Huynh Duy Thuc, and Mr. Nguyen Hoang Quoc Hung.

2014: The Vietnam Redemptorist Province, Mr. Nguyen Bac Truyen, and Musicians Vo Minh Tri (Viet Khang) and Tran Vu Anh Binh.

2015: The Most Venerable Thich Khong Tanh, Ms. Ho Thi Bich Khuong, and Ms. Bui Thi Minh Hang.

2016: Vietnam Bloggers’ Network, Lawyer Vo An Don, Ms. Tran Ngoc Anh, and Ms. Can Thi Theu

2017: The Brotherhood For Democracy, Mother Mushroom Nguyen Ngoc Nhu Quynh, Blogger Nguyen Huu Vinh, and Pastor Y Yich.

This year 2018, VNHRN is proud to present in Westminster, California, the 2017 Vietnam Human Rights Award to these more than deserving recipients: Mr. Hoang Duc Binh, Ms. Tran Thi Nga, and Journalist Pham Doan Trang



Hoang Duc Binh



Hoang Duc Binh is an environmental rights defender and a member of Viet Labour, an organisation of labour groups inside and outside Vietnam aiming to protect the rights of workers. Hoang Duc Binh is also an active blogger and covered the environmental disaster caused by the Taiwanese steel plant, Formosa, in April 2016, its impact on local populations, as well as protests against the company as a result of the pollution.

Hoang Duc Binh was arrested on May 15, 2017, in Nghe An province when he escorted Catholic priest Nguyen Dinh Thuc from the Song Ngoc parish in Dien Chau district to Vinh city. The police stopped their car in Dien Chau district's center and violently removed Binh from the car. According to the arrest order, Binh was charged with "resisting persons in the performance of their official duties" under Article 257 and "Abusing democratic freedoms to infringe upon the interests of the State" under Article 258 of the 1999 Criminal Code. In August 2017, authorities added another charge against Binh, Article 143 ("destroying or deliberately damaging property").

In February 2018: Hoang Duc Binh was sentenced to 14 years in prison. Binh was particularly targeted for livestreaming a march against Taiwanese company Formosa, whose pollution caused a massive environmental disaster that began in April 2016. Binh received one of the harshest prison terms for a known prisoner at this time. At trial, he affirmed that he made comments about police brutality during the livestream, but he also maintained that this was not a criminal act because it was the truth.

January 2018: Human Rights Watch called for Binh and Phong's releases ahead of the scheduled trial. Brad Adams, Asia Director, stated: "There is no sign that Vietnam is slowing down its intensive crackdown on rights activists in the last 14 month."

February 2018: Heather Nauert, Spokesperson for the US Department of State, released a statement speaking out against the convictions of Binh and Phong, stating: "The United States is deeply troubled that a Vietnamese court has convicted and sentenced peaceful labor and environmental activist Hoang Duc Binh and Nguyen Nam Phong to fourteen years and two years in prison, respectively, under vague articles of the Penal code."

On February 23, UN human rights experts called on the government of Vietnam to release individuals jailed for protesting the Formosa chemical spill.

Amnesty International released a new Urgent Action for Hoang Duc Binh, calling for Binh's release from prison and protection from mistreatment thereafter.

February 2019: Nine members of the European Parliament sent a letter to Vietnam's President urging the release of Hoang Duc Binh. The letter reiterated messages from previous months that Vietnam must respect human rights as a condition for the EU moving forward with ratification of the proposed EU-Vietnam Free Trade Agreement. The agreement is in its final stages, however its ratification has allegedly been delayed for "technical reasons."

Tran Thi Nga



Tran Thi Nga is from Ha Nam, Vietnam and worked as a domestic laborer while a migrant in Taiwan. She suffered a traffic accident in 2005 that led to much time spent in the hospital, as well as years of recovery; but it also opened her eyes to the injustices facing migrant laborers and the unsavory business practices used to control workers.

Following her return to Vietnam, Nga became an advocate for migrant laborer rights. She also became involved in land rights activism to protest land grabs by authorities in her community. She is also a supporter of multi-party democracy and women's rights. She has been beaten at least twice for her activism, once by pro-government thugs in May 2014, who broke her arm and leg, and once by po-

lice, who dragged her from a bus, in August 2015.

Nga, 40, was arrested on January 21, 2017 in Ha Nam at her home for her online videos and writings deemed as “propaganda against the state.”. Nga was held in incommunicado pre-trial detention in Ha Nam until her trial in July 2017. Her trial was one-day only, and her family and supporters were prohibited from entering the courtroom. **Nga was sentenced to nine years in prison and five years of house arrest.**

November 2017: The UN Working Group on Arbitrary Detention released an opinion deeming the arrest and detention of Tran Thi Nga as arbitrary. The opinion called for swift remedies of the alleged violations of international law in her case. The opinion condemned the harassment of Tran Thi Nga's young children.

February 2017: Amnesty International issued an Urgent Action, calling on Vietnam to release Nga and two other human rights defenders, Nguyen Van Oai and Nguyen Van Hoa, unconditionally and immediately.

November 2017: Seventeen nongovernmental organizations released a letter ahead of the APEC Summit, calling on world leaders to raise the issue of human rights in host country Vietnam and press for the release of prisoners of conscience. The letter specifically raised the cases of female bloggers Tran Thi Nga and Nguyen Ngoc Nhu Quynh, as well as Catholic activist Nguyen Van Oai.

December 2017: A US Embassy spokesperson called for Tran Thi Nga's release after her appeal was denied. Human Rights Watch had also issued a statement supporting Nga ahead of the trial.

August 2018: Amnesty International released an Urgent Action for Tran Thi Nga, who has endured beatings and death threats at the hands of her assigned cellmate as part of alleged retaliation from prison authorities. They called on the Vietnamese authorities to immediately ensure Nga's safety and to release her from prison.

September 2018: ACAT-France released an action for Tran Thi Nga. Amnesty International released another Urgent Action for Tran Thi Nga. She has been facing harsh conditions in prison, including death threats at the hands of her cellmate.

Pham Doan Trang



Trang was a decorated state journalist before leaving that career to write independently; since then, she has written numerous books hoping to engage people in conversations about politics and human rights. Two recent publications by Trang were “Politics for the common people”, “A handbook on non-violent resistance techniques” (2017), “Learning public policy through the SEZ project” (2018).

Trang was a founder of the Green Trees, an independent CSO in environment protection (2015), co-founder of the Network of Vietnamese Bloggers (2013).

Trang has long been involved in activism, and thus, has long been a target of the authorities.

Since January 26, 2015 until present, Trang has been placed under temporary arrest at least 20 times, the longest arrest of which was 26 hours on 23 and 24 May 2016 when she was kidnapped by the security forces who tried to prevent her from attending a meeting between then-US President Barack Obama and civil society organizations in Hanoi.

With the police escalating in using violence against dissidents, Trang, as did other activists, suffered from many physical assaults. In 2015, she was brutally beaten by security forces while participating in a peaceful demonstration to protest Hanoi’s plan to chop down thousands of aged trees in the city’s center. Her legs are still in pain from the injury caused by the assault, and she keeps limping.

Pham Doan Trang was reportedly taken into custody on International Women’s Day, March 8, and released after nine hours of interrogation. She was arrested from an unknown location, after being on the run since being forcefully detained on February 24 regarding her recently-published book, “Chính trị bình dân” (Politics for the Masses).

On August 15, 2018, singer Nguyen Tin’s mini-show at Casanova Cafe in Ho Chi Minh City, Sai Gon Ky Niem (Memory of Saigon), was raided and broken up by a large number of police officers. Nguyen Tin and other participants, including prominent journalist and writer Pham Doan Trang, were severely beaten right at the cafe. Preventing Nguyen Tin from singing apolitical love songs composed before 1975 and attacking activists, especially Pham Doan Trang, were believed to be the main purposes for this crackdown.

Witnesses saw the police hit Pham Doan Trang in the face and belly so harshly that her face was disfigured. The police also confiscated her laptop, ATM card, ID card, and money. On the way to bring her back home by taxi, they dropped her off in the middle of the trip and continued to beat her brutally with a helmet, making her head bleed and breaking the helmet into pieces. Trang was in serious condition when she was brought to the hospital, where she was diagnosed with a brain concussion because of these assaults.

Amnesty International condemned the attack, saying: ““Viet Nam’s authorities must immediately and independently investigate these serious allegations in line with their obligations under the UN Convention Against Torture.””

Trang was announced as the winner of the 2017 Homo Homini Prize from People in Need, which she was unable to accept in person due to near-constant surveillance from the police and her commitment to staying in Vietnam to continue working for peaceful change.

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*An electronic copy of this report is posted online at:
<http://vietnamhumanrights.net/2018/English.pdf>*



The Vietnam Human Rights Network was established in 1997 as a consortium of individuals and organizations committed to the defense and promotion of human rights and civil liberties entitled to all Vietnamese citizens set forth by the Universal Declaration of Human Rights and subsequent international human rights instruments

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